

EXHIBIT A



ATTORNEYS AT LAW

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October 5, 2011

VIA EMAIL

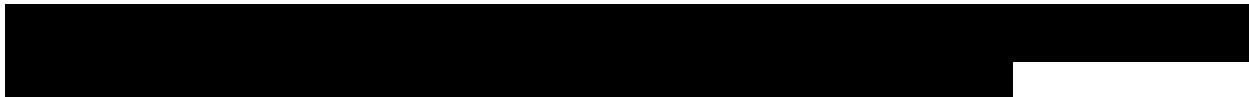






Curtis Warner
Warner Law Firm, LLC
Millennium Park Plaza
155 N. Michigan Ave. Ste. 560
Chicago, Illinois 60601

Re: Tang v. Siegel

Dear Counsel:

This letter is a confidential communication to you and is otherwise protected by FRE 408. In particular, the parties have agreed to keep all settlement communications highly confidential.



1. 
2. The immediate dismissal without prejudice of Plaintiff's: (a) individual and class based TCPA claim and (b) individual FDCPA c  state
3. 
4. 

[REDACTED]

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5. [REDACTED]

[REDACTED]

[REDACTED]

Sincerely,

HINSHAW & CULBERTSON LLP

James C. Vlahakis (Electronic Signature)

James C. Vlahakis
jvlahakis@hinshawlaw.com

JCV:rn

EXHIBIT B

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

LOIDY TANG, individually)
and on behalf of a)
class,)
 Plaintiff,)
 vs.) Case No. 11 C 2109
MEDICAL RECOVERY)
SPECIALISTS, L.L.C.,)
d/b/a MRS, d/b/a MRSI)
and d/b/a MEDICAL)
RECOVERY SPECIALISTS,)
INC.,)
 Defendants.)

The deposition of LOIDY TANG, called for examination pursuant to the Rules of Civil Procedure for the United States District Courts pertaining to the taking of depositions, taken before CHRISTINE M. PINA, a notary public within and for the County of Will and State of Illinois, at 222 North LaSalle Street, Suite 300, Chicago, Illinois, on October 20, 2011 at the hour of 11:17 o'clock a.m.

Reported by: CHRISTINE M. PINA, CSR, RPR
License No.: 084-003785

1 APPEARANCES:

2 WARNER LAW FIRM

3 BY: MR. CURTIS WARNER

4 155 North Michigan Avenue, Suite 560

5 Chicago, Illinois 60601

6 (312) 238-9820

7 cwarner@warnerlawllc.com

8 on behalf of the Plaintiff;

9

10 HINSHAW & CULBERTSON

11 BY: MR. JAMES C. VLAHAKIS

12 222 North LaSalle Street, Suite 300

13 Chicago, Illinois 60601

14 (312) 704-3000

15 jvlahakis@hinshawlaw.com

16 on behalf of the Defendant.

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1 them you've got the wrong number?

2 A. I believe that might have happened with a
3 live person misdialing my number; they acknowledged
4 they misdialed my number.

5 Q. So, the live person speaking to you. You
6 don't recall somebody dialing your number and
7 saying is Kimberly there?

8 A. No, I don't recall that.

9 Q. With regard to DG's phone, are you aware
10 of whether anybody has attempted or a live person
11 has ever spoken to DG asking to speak with a
12 Kimberly or a Chivette Nelson?

13 A. I'm not aware of that.

14 Q. Have either your daughter or your husband
15 been the recipients of automated phone messages for
16 other persons that the message was trying to reach?

17 A. My daughter has not mentioned that, and my
18 husband has not mentioned that either.

19 Q. Have you ever asked them if they received
20 those types of calls?

21 A. I have, but their answer was I don't know.

22 Q. Are you aware of whether or not your
23 lawsuit on behalf of DG against William Siegel &
24 Associates has resulted in a settlement?

1 MR. WARNER: I'm just going to object.

2 MR. VLAHAKIS: I'm not going to go into
3 specifics, Curtis.

4 MR. WARNER: Well, I'm still just going to
5 object. The court record states what the court
6 record states.

7 THE WITNESS: Well, I don't know why you're
8 asking me about that matter if we're talking about
9 this matter here today. I just don't understand.

10 MR. VLAHAKIS: I'll explain it to you. I don't
11 want you to go into whether there's -- you know,
12 what the terms are necessarily or identify the
13 amount of any settlement or anything like that.
14 But I'd like to know if you know today whether or
15 not you've reached a settlement in the Siegel case.

16 MR. WARNER: Again, I'm going to object and
17 tell you not to answer that.

18 BY MR. VLAHAKIS:

19 Q. Are you aware of whether you've reached a
20 confidential settlement in that case?

21 MR. WARNER: Again, I'm going to object and
22 tell you not to answer that.

23 MR. VLAHAKIS: Do you want to talk outside real
24 quick? I'm trying to avoid having to call the

1 judge on it.

2 MR. WARNER: Sure.

3 (Whereupon, a short break was
4 taken.)

5 BY MR. VLAHAKIS:

6 Q. Miss Tang, do you have an awareness as to
7 whether the Siegel case has been dismissed?

8 THE WITNESS: Can I ask you a question?

9 MR. VLAHAKIS: Sure.

10 THE WITNESS: Do I have the right to talk to my
11 attorney right now?

12 MR. VLAHAKIS: If you would like to, sure.
13 I'll leave the room or you can go outside; it's up
14 to you.

15 MR. WARNER: Well --

16 MR. VLAHAKIS: She wants to. We don't have to.

17 MR. WARNER: Sure. We can stop right here
18 for -- I'll listen to what her question is off the
19 record, and then --

20 MR. VLAHAKIS: Okay.

21 (Whereupon, a discussion was
22 had off the record.)

23 MR. VLAHAKIS: Could you read my question back,
24 please?

1 (Whereupon, the record was
2 read as requested.)

3 MR. VLAHAKIS: Are you prepared to answer that
4 question?

5 THE WITNESS: I'm prepared to answer that
6 question with -- I'm going to --

7 MR. WARNER: I haven't objected to that
8 question.

9 MR. VLAHAKIS: Please do, Curtis, if you want
10 to. Are you objecting to that question?

11 MR. WARNER: No, I'm not, not as stated.

12 MR. VLAHAKIS: Can you read that back?

13 (Whereupon, the record was
14 read as requested.)

15 MR. WARNER: You can answer that.

16 THE WITNESS: Okay, but it's my understanding
17 that I cannot answer.

18 MR. WARNER: Well, no, no. I'm not objecting
19 to that one.

20 THE WITNESS: Oh, you're not. Sorry.

21 MR. VLAHAKIS: He may object to any follow-ups,
22 but let's -- if you're prepared to answer that one,
23 then let's hear what the next question is.

24 THE WITNESS: Can you rephrase your question?

1 BY MR. VLAHAKIS:

2 Q. Sure. Do you have an understanding of the
3 current status of the Siegel case?

4 A. Whatever I speak with my lawyer, it's
5 privileged and confidential in regards to other
6 matters that are not this one.

7 Q. If I am going to be asking any questions
8 about the Siegel case and the status of it and
9 whether any settlement has been reached, are you
10 going to be refusing to answer those questions
11 based on something your attorney may have told you?

12 A. No.

13 MR. WARNER: I'll object only to the point of
14 whether a settlement has been reached; I'm
15 objecting to that. The line of questioning that
16 you've asked is the status of the case, and perhaps
17 maybe status might be a term that might not -- it
18 can be worded differently to maybe elicit the
19 answer you want. I know I will ask a different
20 word in follow-up if we don't have the answers
21 here.

22 MR. VLAHAKIS: Sure. But for the record to
23 maybe avoid a lot of questions on this, are you
24 stating that if I ask her any questions as to her

1 awareness of a settlement in the Siegel case, you
2 would instruct her not to answer?

3 MR. WARNER: That is correct.

4 BY MR. VLAHAKIS:

5 Q. Then I'll rephrase the question and ask
6 you do you know if the Siegel case has been
7 dismissed?

8 A. Yes.

9 Q. Do you know why the Siegel case was
10 dismissed?

11 MR. WARNER: That I'm going to object to. You
12 don't have to answer that. And, also, it calls for
13 attorney-client privilege, too, beyond just the
14 general objection.

15 BY MR. VLAHAKIS:

16 Q. I'm not asking for any answer that may
17 elicit something your attorney has told you, but do
18 you have any independent knowledge as to why the
19 Siegel case was dismissed? If your attorney wants
20 to object, give him a second to do so.

21 MR. WARNER: Not if the answer is a yes or no
22 question. I mean it was phrased as a yes or no
23 question.

24 THE WITNESS: Can you repeat the question?

1 (Whereupon, the record was
2 read as requested.)

3 THE WITNESS: Yes.

4 BY MR. VLAHAKIS:

5 Q. What is that knowledge?

6 MR. WARNER: That I'm going to object to.
7 Don't answer it.

8 MR. VLAHAKIS: What's the basis for your
9 objection?

10 MR. WARNER: Attorney-client privilege.

11 BY MR. VLAHAKIS:

12 Q. Do you have any understanding why the
13 Siegel case was dismissed other than what your
14 attorney may have told you?

15 A. Not other than what my attorney has told
16 me.

17 Q. Did you sign any document that led to the
18 dismissal of the case?

19 MR. WARNER: I'm going to object to that. You
20 don't have to answer.

21 MR. VLAHAKIS: What basis?

22 MR. WARNER: Counsel, we had this discussion
23 off the record of why -- and I said you are more
24 than free to take it up with Judge Holderman in

25

1 this case, and I don't have any problem with that.
2 I don't have any problem with an in-camera review
3 over the issue of the line of questions of where
4 you are going with these, I don't.

5 MR. VLAHAKIS: I want to make sure I have the
6 foundation to demonstrate to Judge Holderman we've
7 asked the questions, what the nature of the
8 questions are very specifically, and what the
9 objections were and what may have not been answered
10 and what we're kind of shelving for a later date.
11 I have no problem with bringing it up later, but I
12 want to be able to say I've asked these questions
13 and received these answers and no answers to
14 certain questions.

15 MR. WARNER: Well, counsel, you're also the
16 counsel in the Siegel matter, too. And you know
17 where I draw the line of where you're trying to
18 tread, and that is the reason for the objections.
19 I can take it up in-camera with the judge, I don't
20 have a problem with it, but we're not going to make
21 a record here unless so ordered by the court to
22 move forward and to disclose the answers to the
23 questions you are asking the client.

24 MR. VLAHAKIS: The fact that I'm Attorney of

1 Record in Siegel is somewhat immaterial. I'm
2 asking these questions as a lawyer going in blind,
3 I might ask the questions not knowing what the
4 disposition of the Siegel case is. And I'm trying
5 to respect what we have discussed leading up to
6 that termination of that case, but I want to be
7 able to ask what she may know in order to make a
8 record like any other attorney would be able to
9 make.

10 MR. WARNER: She's answered. She says she has
11 an independent recollection of why it was there.
12 The basis of it is there is a communication with
13 her attorney. She's saying that she's had
14 discussions with her attorney that led up to it.
15 There has been communications between client. If
16 you're asking about adequacy issues, which is where
17 I think you're going with it, yes, ask her has
18 there been communications with your client. In
19 this case, was there communications with your
20 client in the DG versus Siegel case, you can ask
21 her those, that led up to the termination of the
22 case.

23 MR. VLAHAKIS: I assume you're objecting to
24 any --

1 MR. WARNER: I'm objecting to the answers of
2 what exactly those conversations were, yes. But if
3 you're looking for the elements of adequacy here,
4 does she communicate with her attorney, she's
5 answered that one already.

6 MR. VLAHAKIS: I'm trying to understand though.
7 You're saying that her knowledge of why the lawsuit
8 may have been dismissed, it sounds like it's
9 completely bound up in what you said to her and
10 it's privileged. But I'm asking her whether she
11 saw any document that may have led to the dismissal
12 of the lawsuit, and that's independent of
13 attorney-client privilege.

14 MR. WARNER: Well, you can answer that
15 question. Have you seen a document about the
16 dismissal?

17 THE WITNESS: I've seen a document the lawyer
18 has presented me with.

19 BY MR. VLAHAKIS:

20 Q. Did you sign any particular document your
21 lawyer presented to you?

22 A. The lawyer has presented me with various
23 documents and I do have to sign it.

24 Q. Do you recall what you may have signed?

1 MR. WARNER: I object to that. Don't answer
2 that.

3 MR. VLAHAKIS: What's the basis for that?

4 MR. WARNER: Counselor, again you're walking
5 this line of things that you have communicated with
6 me within the other case. And, again, I don't have
7 an issue of having Judge Holderman rule on it, but
8 I don't think that given what was done in Siegel
9 and the conditions of what was done in Siegel, I
10 don't think those are proper questions. I think
11 you're really walking a tight rope here on your
12 line of questioning. I don't have a problem of
13 letting Judge Holderman decide, and we can call him
14 and if he decides that she needs to answer, then
15 she can answer them. We'll make ourselves
16 available here today. We can call him at the end
17 of the deposition to find out whether or not she
18 needs to answer those questions or not, but at this
19 point in time, no.

20 MR. VLAHAKIS: Are you saying that any
21 attorney or some other law firm representing MRS in
22 this case, they would not be able to ask her the
23 basis of why the case was dismissed?

24 MR. WARNER: Well, look, you're asking me about
29

1 two different issues here. One is a hypothetical.
2 I don't want to answer a hypothetical. I'm only
3 going to answer what I've answered here is that you
4 know what the communications were, you know why
5 there was a dismissal in Siegel, and the only thing
6 that she's here to testify about is adequacy.
7 You've asked her about whether she's communicated.
8 Yes, she's communicated with her client about that.
9 If you want to go into Siegel's issues, perhaps
10 that is something that you might want to bring in
11 front of Judge Kacoras or Judge Holderman. If you
12 want her to answer anything about Siegel more than
13 did you communicate with your client, did you see
14 the dismissal documents, did you sign any
15 documents, and that's --

16 MR. VLAHAKIS: I've asked her if she signed
17 anything, and you're refusing to let her identify
18 what she signed.

19 MR. WARNER: Right. I'm refusing, exactly, to
20 identify what she signed.

21 MR. VLAHAKIS: What I'm asking though for
22 adequacy purposes if I can go into whether or not
23 she has settled other cases out, and any attorney
24 could ask that question. I'm respecting the fact

1 that I may know something about the Siegel case,
2 but any attorney should be able to ask that
3 question as to adequacy of a class rep; have you
4 ever settled out another case. That's specifically
5 what we're discussing, not the settlement amount,
6 not specific terms or anything like that or the
7 scope of the release, but we're asking what anybody
8 could ask. And, in fact, we did have a discussion,
9 I believe it was Magistrate Judge Gilbert in the
10 Martin case, where we were allowed to go into this
11 type of questioning on the cases that Mr. Martin
12 had.

13 MR. WARNER: I'm not familiar with that, but,
14 anyway, Miss Tang is not the Plaintiff, DG is the
15 Plaintiff, she's Next Friend in those cases.

16 MR. VLAHAKIS: She would have authorized
17 something potentially.

18 MR. WARNER: Well, she authorized the
19 dismissal, she's already testified to that.

20 MR. VLAHAKIS: Let's table this for now, and if
21 we at a later date need to bring it up, we can
22 discuss with the judge what we've discussed on the
23 record here, what objections there were, and just
24 leave it at that apparently.

1 MR. WARNER: I'm open to take it up with the
2 judge at any time. For convenience sake so we
3 don't have to schedule a deposition, if the judge
4 rules in your favor, I mean we'll make ourselves
5 available for that.

6 MR. VLAHAKIS: What are you proposing, instead
7 of at the end of the dep, do it now, talk to the
8 judge or --

9 MR. WARNER: Yes, you can do that now.

10 MR. VLAHAKIS: How does your schedule work? I
11 don't want to have to drag you back for a
12 deposition or we can do it telephonically if he
13 says -- if I'm entitled to go into that, I have no
14 problem reconvening this.

15 MR. WARNER: Or we can answer the questions by
16 written under oath as an interrogatory, I don't
17 have a problem with that either.

18 MR. VLAHAKIS: Let's just take that.
19 Miss Tang, to save you the time of Curtis and I
20 debating this, we'll sort of table this for another
21 time, and we'll move on to some other questions,
22 fair enough?

23 THE WITNESS: Fair enough.

24

1 STATE OF ILLINOIS)

2) SS:

3 COUNTY OF W I L L)

4 I, CHRISTINE M. PINA, do hereby certify
5 that heretofore, to-wit, on October 20, 2011,
6 personally appeared before me, at 222 North LaSalle
7 Street, Suite 300, Chicago, Illinois, LOIDY TANG,
8 in a cause now pending and undetermined in the
9 United State District Court, Northern District of
10 Illinois, wherein LOIDY TANG is the Plaintiff, and
11 MEDICAL RECOVERY SPECIALISTS are the Defendants.

12 I further certify that the said LOIDY TANG
13 was first duly sworn to testify the truth, the
14 whole truth and nothing but the truth in the cause
15 aforesaid; that the testimony then given by said
16 witness was reported stenographically by me in the
17 presence of the said witness, and afterwards
18 reduced to typewriting by Computer-Aided
19 Transcription, and the foregoing is a true and
20 correct transcript of the testimony so given by
21 said witness as aforesaid.

22 I further certify that the signature to
23 the foregoing deposition was reserved by counsel
24 for the respective parties.

1 I further certify that the taking of this
2 deposition was pursuant to notice and that there
3 were present at the deposition the attorneys
4 hereinbefore mentioned.

5 I further certify that I am not counsel
6 for nor in any way related to the parties to this
7 suit, nor am I in any way interested in the outcome
8 thereof.

9
10 IN TESTIMONY WHEREOF: I have hereunto set
11 my hand and affix my notary seal this 4th day
12 of November, 2011.

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LICENSE NO. 084-003785

